

## REMARKS

This is a divisional application of parent United States Patent Application Ser. No. 10/280,897, filed October 24, 2002, which will issue as U.S. Pat. No. 6,728,421 on April 27, 2004. The division is in response to the restriction requirement of September 17, 2003 in the parent application. The Examiner identified two inventions, Invention I drawn to image editing, classified in class 382, subclass 309, claims 1-20 and 25-31, and Invention II, claims 21-24, drawn to image filter, class 382, subclass 260. The applicant elected Invention I in the parent application, and those claims will issue as noted. This division prosecutes Invention II.

The following changes in the application are made in this divisional:

### *The Cross-Reference*

Appropriate reference is made to the parent application.

### *The Drawings*

A typographical error appears in Figure 2, where IRP 2 and IRP 3 were incorrectly labeled as IRP 1.

### *The Abstract*

An appropriate change from “editing function” to “processing filter” has been made.

### *The Claims*

There were 31 claims pending in the parent application. By Examiner’s Amendment of November 7, 2003, claims drawn to Invention II were canceled. In this division, claims 1-20 and 25-31 drawn to Invention I have been canceled. Claims 21-24 drawn to Invention II from the parent application are presented, and new claims 32-66 are presented. The new claims are in part counter-parts of claims from the parent application, drawn to image filter.

For the Examiner’s convenience, the following chart shows the correlation, where

applicable, of the divisional claims to counter-part parent application claims. The second column identifies independent vs. dependent claims.

| <b>Divisional</b> | <b>I/D</b> | <b>Parent</b> | <b>Change</b>    |
|-------------------|------------|---------------|------------------|
| 1-20              |            | 1-20          | Canceled         |
| 21                | I          | 21            | Original         |
| 22-24             | D          | 22-24         | Original         |
| 25-31             |            | 25-31         | Canceled         |
| 32                | I          | 1             | Wording change   |
| 33                | D          | 2             | Numbering change |
| 34                | D          | 3             | Numbering change |
| 35                | D          | 4             | Numbering change |
| 36                | D          | 5             | Numbering change |
| 37                | D          | 6             | Numbering change |
| 38                | D          | 7             | Numbering change |
| 39                | I          | 8             | Wording change   |
| 40                | D          | 9             | Numbering change |
| 41                | D          | 10            | Numbering change |
| 42                | D          | 11            | Numbering change |
| 43                | D          | 12            | Numbering change |
| 44                | D          | 13            | Numbering change |
| 45                | D          | 14            | Numbering change |
| 46                | D          | 15            | Numbering change |
| 47                | D          | 16            | Wording change   |
| 48                | D          | 17            | Numbering change |
| 49                | D          | 18            | Numbering change |
| 50                | D          | 19            | Numbering change |
| 51                | I          | 20            | Wording change   |

| Divisional | I/D | Parent | Change           |
|------------|-----|--------|------------------|
| 52         | I   | 27     | Wording change   |
| 53         | D   | 28     | Numbering change |
| 54         | D   | 29     | Numbering change |
| 55         | D   | 30     | Numbering change |
| 56         | D   | 31     | Numbering change |
| 57         | I   | 25     | Wording change   |
| 58         | D   | 26     | Wording change   |
| 59         | D   | 28     | Numbering change |
| 60         | D   | 29     | Numbering change |
| 61         | D   | 30     | Numbering change |
| 62         | D   | 31     | Numbering change |
| 63         | I   |        | New              |
| 64         | D   |        | New              |
| 65         | D   |        | New              |
| 66         | D   |        | New              |

New claims 63-66 find support, *inter alia*, on page 25, lines 25-31:

“This invention is not limited to particular hardware described herein, and any hardware presently existing or developed in the future that permits processing of digital images using the method disclosed can be used, including for example, a digital camera system.

“A computer readable medium is provided having contents for causing a computer-based information handling system to perform the steps described herein, and to display the application program interface disclosed herein.”

For the Examiner’s assistance, the Appendix shows how the wording differs between new claims 32, 39, 47, 51, 52, 57, 58 and their closest counter-part in the parent application.

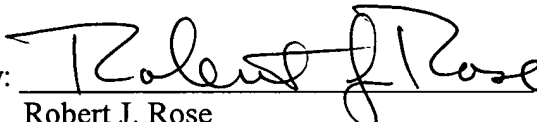
**CONCLUSION**

In accord with the restriction requirement, this division has been filed to prosecute Invention II. In addition to the claims carried forward from the parent, new claims have been added, also drawn to Invention II. As explained, these new claims either parallel the allowed Invention I claims, or are based upon the disclosure, and are also allowable.

If any fee is owed beyond that submitted, the Commissioner is hereby authorized to charge payment of the fee associated with this communication to Deposit Account Number 19-2090.

Respectfully submitted,  
SHELDON & MAK PC

Date: 4/13/04

By:   
Robert J. Rose  
Reg. No. 47,037

SHELDON & MAK PC  
225 South Lake Avenue, 9<sup>th</sup> Floor  
Pasadena, California 91101-3005  
Telephone (626) 796.4000  
Facsimile (626) 795.6321

## APPENDIX

### ***Comparison of new Claim 32 to parent Claim 1:***

32. ~~4.~~ A method for image processing of a digital image comprising the steps of:

- determining one or more sets of pixel characteristics;
- determining for each pixel characteristic set, an image ~~editing function~~ processing filter;
- providing a mixing function algorithm embodied on a computer-readable medium for modifying the digital image; and
- processing the digital image by applying the mixing function algorithm based on the one or more pixel characteristic sets and determined image ~~editing function~~ processing filter.

### ***Comparison of new Claim 39 to parent Claim 8:***

39. ~~8.~~ A method for processing of a digital image comprising the steps of:

- receiving the coordinates of one or more than one image reference point ~~defined by a user~~ within the digital image;
- receiving an assignment of one or more than one image ~~editing function assigned by the user and~~ processing filter, the filter being associated with the coordinates of the one or more than one defined image reference point;
- providing a mixing function algorithm embodied on a computer-readable medium for modifying the digital image; and
- processing the digital image by applying the mixing function algorithm based on the one or more than one assigned image ~~editing function~~ processing filter and the coordinates of the one or more than one defined image reference point.

### ***Comparison of new Claim 47 to parent Claim 16:***

47. ~~16.~~ The method of claim 39 ~~8~~, further comprising the step of providing an application program interface comprising a first interface to receive the coordinates of the

one or more defined image reference points, and a second interface to receive the assignment of the one or more image editing functions processing filters.

***Comparison of new Claim 51 to parent Claim 20:***

51. ~~20.~~ A method for processing of a digital image, the digital image comprising pixels having image characteristics comprising the steps:

defining the location of image reference points within the digital image;  
determining image ~~editing functions~~ processing filters; and  
processing the digital image by applying the determined image ~~editing functions~~ processing filters based upon either the location of the defined image reference points, or the image characteristics of the pixels at the location of the defined image reference points, or both.

***Comparison of new Claim 52 to parent Claim 27:***

52. ~~27.~~ An application program interface embodied on a computer-readable medium for execution on a computer for image processing of a digital image, the digital image comprising pixels having image characteristics, comprising:

a first interface to receive the coordinates of an image reference point defined by a user within the digital image, and  
a second interface to receive an assignment of an image editing function assigned processing filter by the user ~~and, the filter being~~ associated with both the coordinates of the defined image reference point, and the image characteristics of one or more pixels neighboring the coordinates of the defined image reference point.

***Comparison of new Claim 57 to parent Claim 25:***

57. ~~25.~~ An application program interface embodied on a computer-readable medium for execution on a computer for image processing of a digital image, the digital image comprising pixels having image characteristics, comprising:

a first interface to receive the coordinates of each of a plurality of image reference

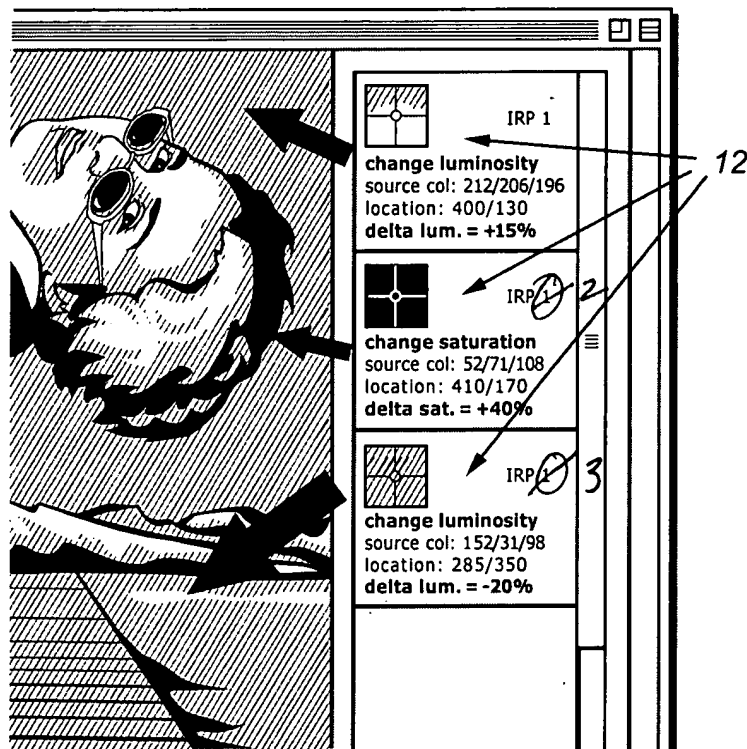
points defined by a user within the digital image, and  
a second interface to receive an assignment of an image editing function assigned processing filter by the user ~~and, the filter being~~ associated with either the coordinates of each of the plurality of defined image reference points, or the image characteristics of one or more pixels neighboring the coordinates of each of the plurality of defined image reference points.

***Comparison of new Claim 58 to parent Claim 26:***

58. 26. The program interface of claim 57 25 wherein ~~the second interface is to receive an image editing function assigned by the user and~~ the assigned image processing filter is associated with both the coordinates of each of the plurality of defined image reference points and the image characteristics of one or more pixels neighboring the coordinates of each of the plurality of defined image reference points.

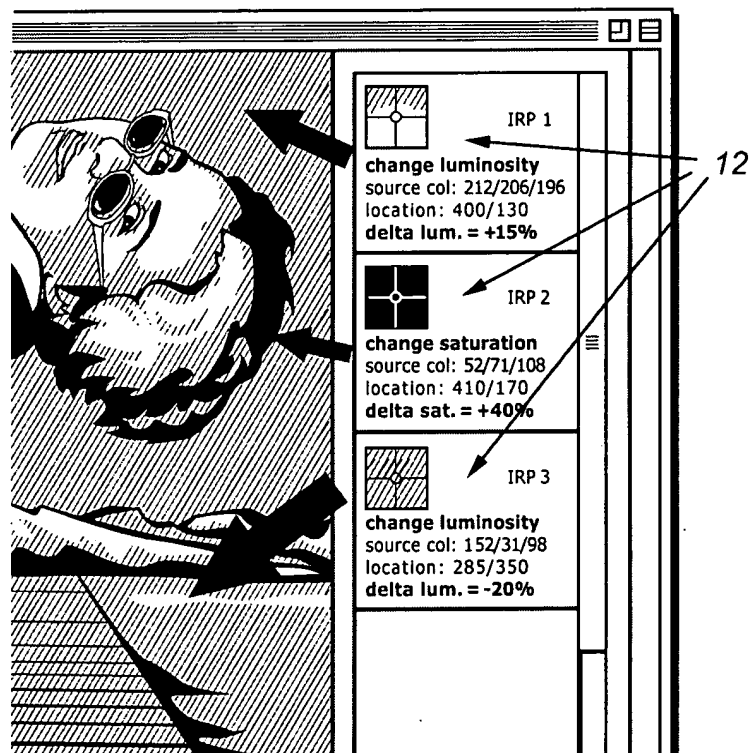
**VERSION WITH MARKINGS TO SHOW  
CHANGES MADE**





**Fig. 2**

# **REPLACEMENT DRAWING PAGE**



**Fig. 2**